

Environmental Hearings Office (EHO) to Merge with Consolidated Growth Management Hearings Board (GMHB) on July 1, 2011

As part of Governor Gregoire's Natural Resources Reform efforts, the legislature passed **Substitute House Bill 2935** in 2010. This law requires that on July 1, 2011, the EHO will administratively consolidate with the newly reconstituted GMHB. Together, they will comprise the **Environmental and Land Use Hearings Office (ELUHO)**. Each of the three boards within the ELUHO (Pollution Control Hearings Board, Shorelines Hearings Board, and GMHB) will continue to hear appeals and decide cases within their separate areas of expertise.

Progress Made on ELUHO Merger:

Over the past year, board members and staff from both GMHB and EHO have appointed a Transition Team to address all issues related to the merger. Their first task was to prepare a new, combined budget proposal for the 2011-13 Biennium. They reviewed and agreed to develop common administrative rules for public records. The Transition Team is presently reviewing other common administrative functions that could be merged to save funds or streamline work. Examples of these items include vendor contracts for court reporters, legal research services, and website/database management; coordinating hearing or public meeting logistics; combining training opportunities for board or staff; and comparing administrative staff work assignments. During the 2011 legislative session, the Team coordinates responses to legislative fiscal note requests or proposed legislation. The Transition Team meets at least monthly and works closely with each of its boards' members. Governor Gregoire has designated Kathy Mix, a current PCHB member, as the Director of ELUHO. She will assume this new role on July 1, 2011, and is currently serving as chair of the Transition Team.

Three GMHBs become One Board

As of July 1, 2010 the three Growth Management Hearings Boards consolidated into one statewide board. These changes result from two new laws enacted in 2010. **Substitute Senate Bill 6214**, consolidated the previous three regional Boards, each comprised of three board members, into one statewide board of seven members. The law retains three geographic areas (Eastern, Central Puget Sound and Western Washington), but challenges to the GMA will be heard by three-member panels comprised of two members residing in the geographic area of a challenge, with the third member to be drawn from one of the other regions. The Presiding Officer will be a resident of the Region in which the case arose. The legislation requires at least one member must be an attorney, one must be a former elected city or county official and the panel should reflect the political composition of the board although exceptions are allowed in case of emergencies and workload. All cases will continue to be heard within the geographic area of a challenge.

Five Environmental Boards Consolidated into Two

In addition to consolidating EHO with GMHB, SHB 2935 also eliminated three of the five Boards within the Environmental Hearings Office, leaving only the Pollution Control Hearings Board (PCHB) and the Shorelines Hearings Board (SHB). Appeals previously heard by the Forest Practices Appeals Board and the Hydraulics Appeals Board are now filed with the PCHB, and the obsolete Environmental & Land Use Hearings Board was repealed.